

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DARRYL SWINT,]
Petitioner,]
v.] Case No. 2:25-cv-123-ACA-GMB
NORTHERN DISTRICT COURT,]
Respondent.]

MEMORANDUM OPINION

In January 2025, Petitioner Darryl Swint filed a habeas petition pursuant to 28 U.S.C. § 2254. (Doc. 1). Because Mr. Swint did not use the court's standard form for habeas actions and his petition lacked the necessary information to resolve his claims, the magistrate judge ordered Mr. Swint to file an amended habeas petition within fourteen days. (Doc. 2 at 1). Mr. Swint never filed an amended habeas petition, so the magistrate judge entered a report recommending that the court dismiss this action without prejudice for Mr. Swint's failure to prosecute under Federal Rule of Civil Procedure 41(b). (Doc. 3). Although the magistrate judge advised Mr. Swint of his right to file specific written objections within fourteen days (*id.* at 2), the court has not received any objections.

Mr. Swint's failure to file specific objections waives any challenge to the proposed findings and recommendations. *See* 28 U.S.C. § 636(b)(1); 11th Cir. R. 3-

1. The court therefore **ADOPTS** the magistrate judge's report and **ACCEPTS** his recommendation. Accordingly, the court **WILL DISMISS** this action **WITHOUT PREJUDICE** for Mr. Swint's failure to prosecute. *See* Fed. R. Civ. P. 41(b).

The court will enter a separate final order consistent with this opinion.

DONE and **ORDERED** this April 7, 2025.



ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE